

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

JOHN DOE,	:	
	:	Civil Action No:
Plaintiff,	:	1:15-CV-4354-RWS
 -against-	:	
 THE BOARD OF REGENTS OF THE	:	
UNIVERSITY SYSTEM OF GEORGIA,	:	
GEORGE P. "BUD" PETERSON,	:	
individually and as agent of the Georgia	:	
Institute of Technology, PETER	:	
PAQUETTE, individually and as agent of	:	
the Georgia Institute of Technology,	:	
JOHN M. STEIN, individually and as	:	
agent of the Georgia Institute of	:	
Technology, RETA PEKOWSKY, as	:	
agent of the Georgia Institute of	:	
Technology,	:	
 Defendants.	:	

JOINT CONSENT MOTION TO WITHDRAW PLAINTIFF'S
MOTION FOR PRELIMINARY INJUNCTION WITHOUT PREJUDICE

Plaintiff and Defendants, through their respective counsel, jointly move to withdraw Plaintiff's Motion for Preliminary Injunction and cancel the hearing currently scheduled for Thursday, January 7, 2016 at 11:30 a.m., showing the Court as follows:

1.

Plaintiff moved for a Preliminary Injunction enjoining Defendants from enforcing a decision to expel Plaintiff from the Georgia Institute of Technology (“Georgia Tech”) and allowing him to enroll in and attend the classes that he needs to complete his undergraduate degree when the spring semester begins on January 11, 2016. Plaintiff’s appeal to the Board of Regents was pending at the time the motion was filed,

2.

On or about January 4, 2016, the Board of Regents reversed Georgia Tech’s finding of responsibility; reversed the sanction of expulsion; and reinstated Plaintiff’s enrollment at the Georgia Institute of Technology.

3.

Today, Plaintiff has confirmed that he has been reinstated and enrolled in the necessary classes for the spring semester.

4.

Defendants have confirmed that the appeal to the Board of Regents is the final stage in the appellate procedure and thus is the final decision as it relates to Plaintiff’s expulsion based upon the allegations of conduct in the matter..

5.

Accordingly, Plaintiff's Motion for Preliminary Injunction is now moot.

6.

Plaintiff moves to withdraw his Motion for Preliminary Injunction without prejudice and all parties move the Court to cancel the hearing currently scheduled for Thursday, January 7, 2016 at 11:30 a.m.

Respectfully submitted this 6th day of January, 2016.

/s/ Jonathan E. Hawkins

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-and-

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Attorneys for Defendants

CERTIFICATION UNDER L.R. 7.1D.

Pursuant to Northern District of Georgia Civil Local Rule 7.1D, the undersigned counsel certifies that this is a computer document and was prepared in Times New Roman 14 point font, as mandated in Local Rule 5.1C.

This 6th day of January, 2016.

/s/ Jonathan E. Hawkins

Jonathan E. Hawkins

Georgia Bar No. 338779

CERTIFICATE OF SERVICE

This is to certify that I this day served a copy of the foregoing upon all counsel of record by electronically mailing to the Clerk of Court using the CM/ECF System which will automatically send an email notification of such filing to the following attorney of record:

Devon Orland
Office of the Attorney General
40 Capitol Square
Atlanta, GA 30334-1300
dorland@law.ga.gov

This 6th day of January, 2016.

Respectfully submitted,

/s/ Jonathan E. Hawkins
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